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December 4, 2002

Mr. Thomas J. Krueger
U.S. Environmental Protection Agency
Office of Regional Counsel
77 W. Jackson Blvd. (C-14J)
Chicago, IL 60604-3590

Re: Ellsworth Industrial Park


Dear Tom:

On behalf of Arrow Gear Company, I respectfully add my voice to those who have objected to the government's failure to disclose the residential well data. As you are well aware, characterization of the extent of contamination is fundamental to any analysis of a contaminated environment, and is vital to any decision about how to address such contamination. *See, e.g.* 40 CFR §300.430. Yet, by issuing a special notice letter, U.S. EPA has demanded that the PRPs commit to a remedy, even as it refuses to identify the specific location of the alleged plume.

U.S. EPA's position is not only patently unfair, it is counterproductive. It effectively forces the PRPs to assume that all residential areas identified in the Weston study must be remedied, even though there is no basis to believe that is the case. Clearly, no person could reasonably commit to fund a cure where no disease has been shown to exist.

Moreover, this controversy is entirely unnecessary. As we have acknowledged in our meetings, the government could have provided useful data to the PRPs without violating the Privacy Act. Although the need for the data was clearly foreseeable, the government chose reticence over revelation. I request that you act with all due haste to remedy this situation, and take it into account as this matter proceeds.

Very truly yours,



Carey S. Rosemarin